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- (72) Inventor; and
- (75) Inventor/Applicant (for US only): FISHMAN, Pnina [IL/IL]; Asher Barash Street 19, 46365 Herziliya (IL).
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For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

19360 A

(54) Title: PHARMACEUTICAL COMPOSITIONS COMPRISING AN ADENOSINE RECEPTOR AGONIST OR ANTAGONIST

(57) Abstract: Adenosine receptor agonists, particularly an agonist which binds to the A3 adenosine receptor, are used for induction of production or secretion of G-CSF within the body, prevention or treatment of toxic side effects of a drug or prevention or treatment of leukopenia, particularly drug-induced leukopenias; and inhibition of abnormal cell growth and proliferation.

International Application No

PCT/IL 00/00550 CLASSIFICATION OF SUBJECT MATTER PC 7 A61K31/00 A61K31/7052 A61K31/7076 A61K31/708 A61K31/706 A61P39/00 A61P35/00 According to International Patent Classification (IPC) or to both national classification and IPC **B. FIELDS SEARCHED** Minimum documentation searched (classification system followed by classification symbols) IPC 7 A61K Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched Electronic data base consulted during the International search (name of data base and, where practical, search terms used) WPI Data, BIOSIS, EPO-Internal, PAJ, CHEM ABS Data C. DOCUMENTS CONSIDERED TO BE RELEVANT Category ° Relevant to claim No. Citation of document, with indication, where appropriate, of the relevant passages WO 98 50047 A (TRUSTEES OF THE UNIVERSITY 20-22, 29,39,46 OF PENNSYLVANIA) 12 November 1998 (1998-11-12) the whole document page 11, line 12 - line 35 page 12, line 15 - line 35 1 - 19Α WO 94 21195 A (GENSIA INC.) 20-22 χ 29 September 1994 (1994-09-29) see the whole document, especially page 6 lines 20-25 1 - 8WO 95 02604 A (THE UNITED STATES OF 1 - 28Α AMERICA) 26 January 1995 (1995-01-26) cited in the application see the whole document, especially page 36 Further documents are listed in the continuation of box C. Patent family members are listed in annex. χ Special categories of cited documents: "T" later document published after the international fiting date or priority date and not in conflict with the application but dited to understand the principle or theory underlying the *A* document defining the general state of the art which is not considered to be of particular relevance invention "E" earlier document but published on or after the international "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone filing date "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such docu-*O* document referring to an oral disclosure, use, exhibition or ments, such combination being obvious to a person skilled in the art. other means document published prior to the International filing date but later than the priority date claimed "&" document member of the same patent family Date of the actual completion of the international search Date of mailing of the international search report 14. 06. 2002 5 June 2002

Name and mailing address of the ISA

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International application No. PCT/IL 00/00550

INTERNATIONAL SEARCH REPORT

Box I	Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)
This Inte	ernational Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:
1. χ	Claims Nos.: because they relate to subject matter not required to be searched by this Authority, namely:
	Although claims 23-35,50-55,68-71 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.
2. X	Claims Nos.: because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
	see FURTHER INFORMATION sheet PCT/ISA/210
з. 🗌	Claims Nos.: because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).
Box II	Observations where unity of invention is lacking (Continuation of item 2 of first sheet)
This Int	ernational Searching Authority found multiple inventions in this international application, as follows:
	see additional sheet
1.	As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2.	As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
з. 🛛 х	As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
	1-22,29-31,39-43,46,47,50-79 (subjects 2, 3 and 6) and subject $1:$ thus claims $1-79$ (all partially)
4.	No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:
Remai	The additional search fees were accompanied by the applicant's protest. X No protest accompanied the payment of additional search fees.

Continuation of Box I.2

This supplemental sheet is intended to raise objections based on the total of inventions for which (additional) fees have been paid after the notice of lack of unity of invention: i.e. it concerns inventions 1, 2, 3 and 6.

* The expressions "adenosine A3 receptor agonist", "adenosine A1 receptor agonist", "adenosine A2 receptor antagonist", "adenosine A2 receptor agonist", "a drug", "a chemotherapeutic drug" relate to compounds which are actually not well-defined and may encompass an extremely large and undefined number of different compounds.

Moreover, formulas of claims 4-6 and 9 relate to an extremely large number of possible structures. Support within the meaning of Article 6 PCT and/or disclosure within the meaning of Article 5 PCT is to be found, however, for only a very small proportion of the compounds claimed.

* The expressions " (achieving a therapeutic effect comprising) inducing G-CSF secretion or production", "inducing proliferation or differentiation of bone marrow or white blood cells", "inhibiting abnormal cell growth" are not well-defined therapeutical applications for the compounds claimed herein.

Under the general cover of "toxic side effects of a drug", a great and unlimited number of symptoms, disorders or diseases as well as drugs can be included and it is not clear which ones are meant herein. Moreover, only one symptom (weight loss) and two drugs (cyclophosphamide and 5-fluorouracile) are sufficiently well-defined and supported by the description to allow a meaningful search to be performed (Article 6 PCT). The same objections apply to the synergetic use of combinations with "chemotherapeutic drug" for cancer therapy (only doxorubicin combinations are sufficiently supported by the description).

In the present case, the claims so lack support, and the application so lacks disclosure, that a meaningful search over the whole of the claimed scope is impossible.

Since both the compounds and the therapeutical applications are not well-defined (as mentioned above), the claims referring to said expressions or formulas are considered to lack clarity in the sense of Article 6 PCT to such an extend as to render a complete meaningful search impossible.

Consequently, the search has been carried out for those parts of the claims which appear to be clear, concise and supported , namely those parts concerning:

- * the A3 agonists of claims 7 and 8 only in relation to the treatment of (drug-induced) myelotoxicity, (drug-induced) leukopenia (and neutropenia, blood levels of circulating leukocytes) as well as on the underlying general inventive concept (G-CSF stimulation).
- * these A3 agonists in relation to cancer treatment (with or without dual effect) and (also independently) to the mixtures or interactions with 5-Fluorouracile, cyclophosphamide or doxorubicin.

- * the A3 agonists of claims 7 and 8 in relation to the treatment of drug-induced weight loss.
- * the Al agonists: CPA and CCPA mentioned on page 26 and pages 31-32 of the present description, in relation to their activity on (drug-induced) myelotoxicity, (drug-induced) leukopenia (and neutropenia, blood levels of circulating leukocytes), as well as on the underlying general inventive concept (G-CSF stimulation).
- \ast the A2 antagonist DPMX in combination with A3 agonists of claims 7 and 8, independently or in relation to drug-induced weight loss, as well as on the underlying general inventive concept.
- * the A2 agonist DPMA in combination/interaction/synergy with the A3 agonists of claims 7 and 8, independently or in relation to cancer, as well as on the underlying general inventive concept.

CONCLUSION:

Concerning invention number 1: claims searched partially (incompletely): 1-28,32-38,44,45,48,49.

Concerning inventions numbers 2, 3 and 6: claims searched partially (incompletely): 1,4,9-10,16,20,22,29,31,39,41-43,46-47,50-54,56-79.

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. Claims: 1-28.32-38.44-45.48.49 (all partially)

Use of (and pharmaceutical compositions containing) A3 adenosine receptor agonists to treat drug-induced myelotoxicity, to induce proliferation or differentiation of bone marrow or white blood cells or to prevent or treat (drug-induced) leukopenia (and neutropenia), for elevating blood levels of circulating leukocytes, possibly in combination with A1 adenosine agonists or A2 adenosine antagonists or with a drug that can cause toxic side effects (in relation to these uses).

2. Claims: 1-22 (all partially)

Use of (and pharmaceutical compositions containing) Al adenosine receptor agonists to treat drug-induced myelotoxicity, to induce proliferation or differentiation of bone marrow or white blood cells or to prevent or treat (drug-induced) leukopenia (and neutropenia), for elevating blood levels of circulating leukocytes, as far as not already covered by previous subject.

3. Claims: 29-31,39-43,46,47 (all partially)

Use of (and pharmaceutical compositions containing) an A3 adenosine receptor agonist, possibly in combination with an A2 adenosine receptor antagonist or with a drug that can cause toxic side effects, to treat toxic side effects of a drug (weight loss).

4. Claims: 50-51.54.56.57.59.60.62.63.66 (all partially)

Use of an A2 adenosine receptor agonist, alone or in combination with a chemotherapeutic/anti-tumor drug, to inhibit abnormal cell growth and compositions thereof for this use, as far as not already covered by previous inventions.

5. Claims: 23,27-28,32,36-38,48-49

Use of (and pharmaceutical compositions containing) an A2 adenosine receptor antagonist, possibly in combination with a drug that can cause toxic side effects, to induce proliferation or differentiation of bone marrow or white blood cells or to prevent or treat (drug-induced) leukopenia (and neutropenia), for elevating blood levels of circulating leukocytes, as far as not already covered by previous invention.

6. Claims: 50-79 (all partially)

Use of an A3 adenosine receptor agonist, alone or in combination with an A2 adenosine receptor agonist or with a chemotherapeutic/anti-tumor (synergetic) drug, to inhibit abnormal cell growth, in particular tumor cell growth and to treat cancer, wherein said A3R agonist may have a dual effect of both inhibiting proliferation of cancer cells and counteracting toxic side effects of a chemotherapeutic drug (and compositions thereof), as far as not already covered by previous inventions.

7. Claims: 50-51,54,56,57,59,60,62,63,66 (all partially)

Use of an A2 adenosine receptor agonist, alone or in combination with a chemotherapeutic/anti-tumor drug, to inhibit abnormal cell growth and compositions thereof for this use, as far as not already covered by previous inventions.

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